

E-FILED - 5/22/08

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HOLOGIC, INC., CYTYC CORPORATION,
and HOLOGIC L.P.,

Plaintiffs,

vs.

SENORX, INC.,

Defendant.

AND RELATED COUNTERCLAIMS.

Case No. C08 00133 RMW (RS)

**STIPULATED SCHEDULING
ORDER**

Pretrial Conference: June 30, 2008 at 2 p.m.

Trial: July 14, 2008 at 1:30 p.m.

I. CASE MANAGEMENT SCHEDULE

On May 9, 2008, the Court held the Case Management Conference in the above-entitled matter.

The Court enters the following Scheduling Order:

EVENT	DATE
Initiation of Discovery	April 30, 2008
Initial disclosures	May 9, 2008
Preliminary Infringement Contentions (Patent L.R. 3-1)	May 6, 2008
Preliminary Invalidity Contentions (Patent L.R. 3-3)	May 21, 2008
Exchange of Proposed Claim Terms for Construction (Patent L.R. 4-1)	May 7, 2008
Exchange of Preliminary Claim Construction (Patent L.R. 4-2)	May 12, 2008
Opening Claim Construction Briefs (simultaneous) (Patent L.R. 4-5)	May 21, 2008
Identification of Experts (name and subject matter of opinion(s) only)	May 23, 2008
Reply Claim Construction Briefs (simultaneous) (Patent L.R. 4-5)	May 30, 2008
Joint Claim Construction Statement (Patent L.R. 4-3)	May 30, 2008
Expert reports (simultaneous exchange by both parties as to infringement and invalidity without regard to burden)	June 4, 2008
Claim Construction Hearing (Patent L.R. 4-3)	June 11, 2008 at 2 p.m.
Potential Mediation	June 13, 2008
Close of Discovery	June 25, 2008
Pretrial Conference	June 27, 2008 at 2 p.m.
Trial (jury)	July 14, 2008 at 1:30 p.m.

Dated: May 12, 2008

By: _____ /s/

WILLIAMS & CONNOLLY LLP

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Filer's Attestation

I, Katharine L. Altemus, am the ECF User whose identification and password are being used to file this [Proposed] Stipulated Scheduling Order. Pursuant to General Order No. 45, § X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from Aaron P. Maurer.

Dated: May 12, 2008

By: /s/
Katharine L. Altemus

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Close of Discovery	June 25, 2008
Pretrial Conference	July 9, 2008 at 2:00 p.m.
Trial (jury)	June 30, 2008 at 2 p.m. July 14, 2008 at 1:30 p.m.

II. DISMISSAL OF NON-PATENT COUNTS

Plaintiffs' non-patent Counts Four through Six (federal and state unfair competition counts) of Plaintiffs' Amended Complaint For Patent Infringement, Lanham Act Violations, And State Unfair Competition Seeking Damages and Injunctive Relief filed March 7, 2008 are hereby dismissed without prejudice. Defendant SenoRx, Inc.'s Motion to Dismiss is hereby dismissed as moot.

Dated: May 12, 2008

HOWREY LLP

By: /s/

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HOWREY LLP
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Attorneys for Plaintiffs

Hologic, Inc., Cytoc Corporation,
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WILLIAMS & CONNOLLY LLP

By: /s/

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